

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

ELIZABETH SAWYER

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:18-cv-110-DCB-MTP

CLEMENT CAMPBELL, et al.

DEFENDANTS

ORDER CONSOLIDATING CASES

THIS MATTER is before the Court on Plaintiff's Unopposed Motion to Consolidate Related Cases [4]. After considering the Motion and the applicable law, the Court finds that the Motion should be granted.

Plaintiff requests that this matter be consolidated with the related action styled *Jonathan Sawyer v. Clement Campbell, et al.*, Civil Action No. 5:18-cv-69-DCB-JCG. These two lawsuits arise out of the same incident. The Plaintiffs in each case are suing over the same accident that occurred on February 18, 2018 when they were riding in a vehicle driven by Defendant Campbell and allegedly owned by Defendant Magnolia Bluffs Casino.

Plaintiff moves to consolidate these actions under Federal Rule of Civil Procedure 42 which allows a court to consolidate matters that involve a common question of law or fact. "The Court has broad discretion in determining whether and to what extent to consolidate cases." *Achari v. Signal Int'l, LLC*, 2013 WL 5705660, at *2 (S.D. Miss. Oct. 18, 2013). These two cases involve essentially the same defendants, the same incident, and the same legal questions. The Motion is not opposed by any party. Consolidation of the two cases is appropriate.

The above-styled case will be consolidated with *Jonathan Sawyer v. Clement Campbell, et al.*, Civil Action No. 5:18-cv-69-DCB-JCG for all purposes. As *Jonathan Sawyer v. Clement*

Campbell was filed first and bears the lowest docket number, all future filings shall be made in that case.¹

IT IS, THEREFORE, ORDERED that Plaintiff's Motion to Consolidate Cases [4] is GRANTED.

SO ORDERED this the 14th day of November, 2018.

s/Michael T. Parker

United States Magistrate Judge

¹ Under U. L. Civ. R. 42, this Motion may be addressed by the Magistrate Judge in the action bearing the lowest docket number. However, the Motion to Consolidate was not filed in the lowest numbered case. The Magistrate Judges in each of these two cases have conferred and, like the parties, agree that consolidation is appropriate.